

## **REMARKS/ARGUMENTS**

The Office Action mailed September 22, 2004 has been reviewed and carefully considered. Claims 1-30 are pending in this application, with claims 1, 20, 27, and 30 being the only independent claims. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

In the Office Action mailed on September 22, 2004, claims 1-17 and 30, are rejected under 35 U.S.C. §102(e) as being anticipated by Kalev (U.S. Patent No. 6,308,071).

Claims 18-19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalev (U.S. Patent No. 6,308,071) in view of Parkkila (U.S. Patent NO. 6,223,037).

Claims 20, 22-25 and 27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalev in view of Anderson et al. (U.S. Patent 5,594,949).

Claims 21 and 28, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalev in view of Anderson et al. and further in view of Parkkila.

Before discussing the cited prior art and the Examiner's rejections of the claims in view of that art, a brief summary of the present invention is appropriate. The present invention relates to a method and apparatus for reporting cell measurement results in a cellular communication system. A mobile station may be in the signaling area of several cells. These neighboring cells may be any further cells that can be reached by a mobile station. According to the present invention, measurement results for relevant neighboring cells are reported from a mobile station to a network controller without identification parameters (see page 10, lines 29-33). This is accomplished by reporting the results in a specific order (see page 11, lines 6-8). Page 11, line 17 to page 12, line 19 disclose various reporting orders which may be used. The selection of relevant cells may be based on predefined rules (page 12, line 21 to page 13, line 2).

Independent claims 1, 20, 27, and 30, each recite that a reporting order of the measurement results is defined and that a report a message reports the cell measurement results in the defined reporting order.

Kalev discloses monitoring traffic in a mobile communication network to identify geographically regions of high traffic. According to Kalev, all active mobile stations MS within a cell A report to the base station controller for cell A every 0.48 seconds (col. 3, lines 26-29 of Kalev). Each mobile station reports to the base station controller the received signal level of the serving cell and the six best cells (col. 3, lines 30-32). The base station controller identifies the three best neighbors and stored as a triplet in a hot spot data table (col. 3, lines 36-39).

The Examiner refers to col. 2, lines 51-52 of Kalev as defining a reporting order. However, this section of Kalev states "an operating control center which defines a predetermined time period over which data defining said groups is collected, and which communicates with said at least one base station controller to instruct the collection of said data for said predetermined time period". This teaches only that the data is collected periodically. There is no disclosure, teaching or suggestion for defining a reporting order. Moreover since Kalev teaches that only the six best cells are reported, it is unknown beforehand which cells are to be reported and therefore there is no way to define a reporting order of the cells to be used as recited in independent claims 1, 20, 27, and 30.

The Examiner further states that col. 3, lines 31-44 of Kalev discloses reporting the cell measurement results in the defined reporting order. However, this section of Kalev merely discloses that the six best cells are reported. There is no disclosure in Kalev for reporting these cells in any specific order. Accordingly, independent claims 1, 20, 27, and 30 are not anticipated by Kalev under 35 U.S.C. §102.

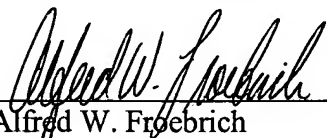
The independent claims 1, 20, 27, and 30 are also allowable over Kalev. The purpose of Kalev is to identify "hot spots" by collecting data of cells with the highest signal levels. Accordingly, there is no reason or motivation for providing the data in any specific order. Therefore, independent claims 1, 20, 27, and 30 are not obvious over Kalev under 35 U.S.C. §103.

Anderson fails to disclose what Kalev lacks. Anderson is merely used in the Office Action in combination with Kalev to disclose signal strength measurements by a mobile phone. Anderson does not teach or suggest generating a report message reporting all measurement results in the defined reporting order, as expressly recited in each of independent claims 1, 20, 27, and 30. Accordingly, it is respectfully submitted that independent claims 1, 20, 27, and 30 are allowable over Kalev in view of Anderson.

Dependent claims 2-19, 21-26, and 28-29, each being dependent on one of independent claims 1, 20, 27, and 30, are deemed allowable for the same reasons expressed above with respect to independent claims 1, 20, 27, and 30.

The application is now deemed to be in condition for allowance and notice to that effect is solicited.

Respectfully submitted,  
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